



DECISION MEMO
FOUR KINGS PLACER EXPLORATION PROJECT
U.S. FOREST SERVICE
PLUMAS NATIONAL FOREST
MT. HOUGH RANGER DISTRICT
PLUMAS COUNTY, CALIFORNIA

LOCATION

The Four Kings Placer Exploration Project proposes exploratory mining under a Plan of Operations on the Four Kings mining claim, CAMC 318589. This claim is located along the West Branch of Lights Creek, along NFS Road 28N39. Mining activities would take place in T28N, R11E, Section 31, MDBM.

DECISION

I have decided to authorize placer mining activities within the Four Kings claim. Activities authorized under this decision meet the purpose of promoting the exploration, development and production of locatable mineral resources on National Forest System (NFS) lands as mandated by the Mining Law of 1872, in compliance with the amended 1988 Plumas National Forest Land and Resource Management Plan. The Code of Federal Regulations, 36 CFR 228, Subpart A, requires a response to the claimant's request for the Four Kings Plan of Operations, while fulfilling legal requirements to establish reasonable resource protection terms and conditions. The terms and conditions of the Plan of Operations will authorize the following:

- Excavation of material from the stream bench north of the creek using a rubber tired backhoe.
- Processing of material through a grizzly and an 8' portable trommel. Water would be pumped from the West Branch of Lights Creek to a holding pond and then to the wash plant. Water would be returned to a settling pond and be recirculated through the system.
- Intermittent camping at the site while mining in a self-contained RV. Several portable shelters may be erected for shade protection.
- Minor road repairs along NFS Road 28N39, including filling in one washout and trimming brush along the road edges.

My decision is based on a review of the record that shows thorough consideration of the proposal using best available science. Project design features include:

- Continued treatment for invasive plants (Canada thistle). Canada thistle is prevalent within the claim boundary. An extensive population has been mapped in West Branch Lights Creek including the area between the proposed camp and the "area of interest" outlined in the PoO. The infestation was treated last summer under the Moonlight IPT EA. Disturbance within

- the existing infestation is likely to spread weeds outside current boundaries.
- To prevent project related weed spread 1) the PNF will continue weed treatments in the area; 2) keep project activities within the designated area of interest and; 3) incorporate standard mitigations for equipment cleaning and use of weed free materials.
 - In order to access the processing area, equipment will need to cross a small tributary to the West Branch of Lights Creek. Woody material will be placed within the seasonally flowing tributary channel prior to crossing it with heavy equipment. After completion of operations, most of this woody material should be removed to prevent future stream diversions.
 - When drafting water out of the West Branch of Lights Creek, the water drafting rate will not exceed 350 gallons per minute for streamflow greater than or equal to 4.0 cubic feet per second (cfs); below 4.0 cfs, drafting rates should not exceed 20% of surface flows, and; water drafting will cease when bypass surface flows drop below 1.5 cfs.
 - During reclamation, woody debris will be scattered on all newly disturbed areas to improve ground cover and reduce erosion.
 - When pumping water from the West Branch of Lights Creek, a 2.0 millimeter screen must be installed on the intake hose.
 - Drip pans or absorbent pads shall be used during all on-site fueling operations.
 - No sediment will be discharged directly to the creek.
 - Final reclamation will include removal of all equipment, personal belongings and garbage.
 - In the event that any previously unrecorded heritage resources are discovered during project implementation, all project related activities in close proximity to the resource(s) must cease. Mt. Hough heritage resource staff shall be immediately notified and the procedures set forth in Section 800.13 of the Council's regulations will be initiated.

These actions are categorically excluded from documentation in an Environmental Impact Statement (EIS) or an Environmental Assessment (EA) because they are routine activities that meet requirements of the Forest Service Handbook (FSH) 1909.15, 31.2 (8): "Short-term (1 year or less) mineral, energy, or geophysical investigations and their incidental support activities that may require cross country travel by vehicles and equipment, construction of less than 1 mile of low standard road, or use and minor repair of existing roads."

I find that there are no extraordinary circumstances that would warrant further analysis and documentation in an EA or EIS. I took into account resource conditions identified in agency procedures that should be considered in determining whether extraordinary circumstances might exist:

- a. Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, and Region 5 Forest Service sensitive species:

There are no threatened or endangered wildlife species or threatened or endangered wildlife habitat in the proposed project area therefore there will be no effects. (Wildlife Input, Colin Dillingham, June 20, 2019).

There are noxious weeds in the proposed project area. Treatment of these weeds should be conducted during and after mining activities. (Botany Input, Jim Belsher Howe, February

20, 2019.)

b. Flood plains, wetlands, or municipal watersheds:

The above recommended measures will minimize impacts to hydrologic function, water quality, sediment regimes, and riparian habitat associated with the floodplains of West Branch of Lights Creek and adjacent tributaries. No wetlands or municipal watersheds are present. (Hydrology Input, Kelby Gardiner, June 11, 2019.)

c. Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas:

The project is not within or adjacent to any congressionally designated areas.

d. Inventoried roadless areas or potential wilderness areas:

The project is not within or adjacent to any inventoried roadless areas.

e. Research natural areas:

The project is not within or adjacent to any research natural areas.

f. American Indian religious or cultural sites:

The project is not within or adjacent to any American Indian religious or cultural sites.

g. Archaeological sites, or historic properties or areas:

This area is highly disturbed and the presence of historic properties is considered highly unlikely. No historic properties will be affected. (Heritage Resources Input, Cristina Weinberg, June 5, 2019).

PUBLIC INVOLVEMENT

This project was originally published in the Plumas National Forest Schedule of Proposed Actions in November 2018. Decisions categorically excluded from documentation in an environmental assessment (EA) or environmental impact statement (EIS) are not subject to notice, comment, and appeal. External scoping was neither required nor initiated for this project.

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

This action is in accordance with NEPA Implementation Regulations, 40 CFR 1501.2 and with the goals, objectives, and management direction of the Plumas National Forest 1988 Land and Resource Management Plan and the 2004 Sierra Nevada Forest Plan Amendment (SNFPA) supplemental EIS and ROD (USFS PNF 1988, USFS 1999, USFS 2003, USFS PSW 2004 a, b).

The Federal Land Policy and Management Act of October 21, 1976, the National Environmental Policy Act of 1970, and the National Forest Management Act of 1976, combined give the Forest Service the authority and responsibility for protection of resources and management of National Forest System lands.



This project meets the requirements of the National Historic Preservation Act of 1966, as amended, and implements procedures outlined in the Region 5 Programmatic Agreement.

The project does not affect any threatened, endangered or candidate species and thereby complies with the Endangered Species Act of 1973.

ADMINISTRATIVE REVIEW (APPEAL) OPPORTUNITIES

This decision is not subject to appeal by individuals or organizations.

This decision is subject to appeal by the applicant pursuant to the regulations in 36 CFR 214.4.

A Notice of Appeal must be consistent with 36 CFR 214.8 and filed simultaneously with the Acting Forest Supervisor, Barbara Drake, Appeals Reviewing Officer, and Micki D. Smith, Deciding Officer, within 45 days from the date of the decision. Appeals should be sent to: Barbara Drake, Appeal Reviewing Officer at USDA Forest Service, Plumas National Forest, P.O. Box 11500, Quincy, CA 95971, and Micki D. Smith, Deciding Officer at Mt. Hough Ranger District, 39696 Highway 70, Quincy, CA 95971. If no appeal is filed, implementation of this decision may occur immediately.

IMPLEMENTATION DATE

Implementation is expected immediately upon plan approval.

CONTACT

For additional information concerning this decision, contact: Leslie Edlund, Assistant Minerals Officer, Mt. Hough Ranger District, 39696 Highway 70, Quincy, CA, 95971; by phone at 530-283-7650 or email at ledlund@fs.fed.us.

MICKI D. SMITH

District Ranger

6-24-19

Date

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